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## NOTICE OF ALLOWANCE AND FEE(S) DUE

28393 7590 07/25/2008

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
1100 NEW YORK AVE., N.W.  
WASHINGTON, DC 20005

EXAMINER

BRINEY III, WALTER F

ART UNIT

PAPER NUMBER

2615

DATE MAILED: 07/25/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/028,781

12/28/2001

Siavash Fallahi

1875.1270001/JTH/BAM

6416

TITLE OF INVENTION: IP TELEPHONE SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	10/27/2008

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE  
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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28393

7590

07/25/2008

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
 1100 NEW YORK AVE., N.W.  
 WASHINGTON, DC 20005

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,781	12/28/2001	Siavash Fallahi	1875.1270001/JTH/BAM	6416

TITLE OF INVENTION: IP TELEPHONE SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	10/27/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
BRINEY III, WALTER F	2615	379-398000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_
- 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,781	12/28/2001	Siavash Fallahi	1875.1270001/JTH/BAM	6416
28393	7590	07/25/2008	EXAMINER	
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C. 1100 NEW YORK AVE., N.W. WASHINGTON, DC 20005			BRINEY III, WALTER F	
			ART UNIT	PAPER NUMBER
			2615	
DATE MAILED: 07/25/2008				

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 270 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 270 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

**Notice of Allowability**

Application No.

10/028,781

Applicant(s)

FALLAHI ET AL.

Examiner

Art Unit

WALTER F. BRINEY III

2615

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 10 April 2008.
2. ☒ The allowed claim(s) is/are 1-36.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date ____     | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other ____.   |

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no  
5 later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Theodore A. Wood, Reg. No. 52,374 on 16 July 2008.

#### *Amendment*

The application has been amended as follows:

- 10 1. A communications device, comprising: a substrate having an input and an output that are capable of being connected to a communications network;
- a relay including native devices, disposed on said substrate and connected between said input and said output of said substrate; and
- a switchable termination resistor having a switch component and a resistor  
15 component, disposed on said substrate and coupled to said input of said substrate, having an impedance capable of providing a termination for an external circuit that is disposed external to said substrate, said external circuit also connected to said input of said substrate;
- wherein said relay is closed when no power is applied to said ~~relay~~  
20 communications device; and

wherein (i) gates of said native devices are grounded when power is applied to said ~~relay~~ communications device and (ii) a drain and a source of said native devices are held at a supply voltage level, the grounding thereby opening said relay.

5           3. The communications device of claim 2, wherein said native ~~FET~~ device is conductive when approximately zero volts is applied to a gate of said native ~~FET~~ device.

          4. The communications device of claim 3, further comprising a rectifying circuit, an input of said rectifying circuit coupled to said input of said external circuit and an  
10   output of said rectifying circuit connected to said gate of said native ~~FET~~ device, said rectifying circuit configured to rectify an input signal received at said input of said external circuit and produce a rectified voltage that is applied to said gate of said native ~~FET~~ device.

15           5. The communications device of claim 4, wherein said rectifying circuit includes a second native ~~FET~~ device having one of a source and a drain coupled to an input of said external circuit, and the other of said source and said drain coupled to said gate of said native ~~FET~~ device, a gate of said second native ~~FET~~ device also coupled to said input of said substrate.

20

          6. The communications device of claim 5, further comprising a gate grounding device coupled to a gate of said second native ~~FET~~ device, said gate grounding device

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capable of grounding said gate of said second native ~~FET~~ device when a voltage is applied to said substrate.

7. The communications device of claim 6, wherein said gate grounding device  
5 includes a FET, a gate of said FET coupled to said voltage applied to said substrate, a drain of said FET coupled to a gate of said second native ~~FET~~ device, and a source of said FET coupled to ground.

8. The communications device of claim 4, further comprising a switch connected  
10 in series between said output of said rectifying circuit and said gate of said native ~~FET~~ device, said switch capable of disconnecting said rectifying circuit from said gate of said native ~~FET~~ device when a voltage is applied to said substrate.

9. The communications device of claim 4, further comprising a gate grounding  
15 device coupled to a gate of said native ~~FET~~ device, said gate grounding device grounding said gate of said native ~~FET~~ device when a voltage is applied to said substrate.

10. The communications device of claim 9, wherein said gate grounding device  
includes a FET, a gate of said FET coupled to said voltage applied to said substrate, a  
20 drain of said FET coupled to a gate of said native ~~FET~~ device, and a source of said FET coupled to ground.

34. A communications device, comprising: a substrate having an input and an output connectable to a communications network;

a relay including native devices, disposed on said substrate and connected between said input and said output of said substrate,

5 wherein said relay is substantially closed when no power is applied to said ~~relay~~ communications device and;

wherein (i) gates of said native devices are grounded when power is applied to said ~~relay~~ communications device and (ii) a drain and a source of said native devices are held at a supply voltage level, the grounding thereby opening said relay; and

10 a switchable termination resistor, disposed on said substrate and coupled to said input of said substrate, having an impedance that provides a termination for an external circuit that is disposed external to said substrate, said external circuit also connected to said input of said substrate.

***Allowable Subject Matter***

15 The following is an examiner's statement of reasons for allowance:

**1. Claims 1-36 are allowed.**

**Claim 1** is limited to a communications device. This claim requires 1) a substrate, 2) a relay and 3) a switchable termination. These three limitations remain unchanged by Applicant's instant amendment, however, this claim now requires that the  
20 drain and source of the relay's native devices are held at a supply voltage level during the time the gates of the native devices are grounded and power is applied to the communications device. To the contrary, *McCormack* discloses a diode 72 that



corresponds to the claimed relay. (Final Rejection 4, 06 April 2007). According to the teachings of *Campardo*, one of ordinary skill in the art at the time of Applicant's invention would have embodied diode 72 using a native device. Moreover, *Tihanyi* would have made obvious to one of ordinary skill in the art at the time of Applicant's invention grounding the gate of the native device used to embody diode 72. However, these prior art teachings never disclose, suggest or teach holding the drain and source of a native device embodying a diode at a supply voltage level. Thus, this claim is allowable over the cited prior art.

**Claim 34** is instantly amended by this Examiner Amendment to include the allowable limitations of claim 1. Accordingly, this claim is allowable over the cited prior art for the same reasons as claim 1.

**Claims 2-14 and 35-36** depend from claims 1 and 34, so they are allowable over the cited prior art for the same reasons as their respective parent claim.

**Claims 15-33** are allowable over the cited prior art for reasons already of record. (Non-Final Rejection 4, 10 January 2008).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to WALTER F. BRINEY III whose telephone number is (571)272-7513. The examiner can normally be reached on M-F 8am - 4:30pm.

5 If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Suhan Ni can be reached on (571) 272-7505. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for  
10 published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO  
15 Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Walter F. Briney III/  
Examiner  
Art Unit 2615

7/25/08